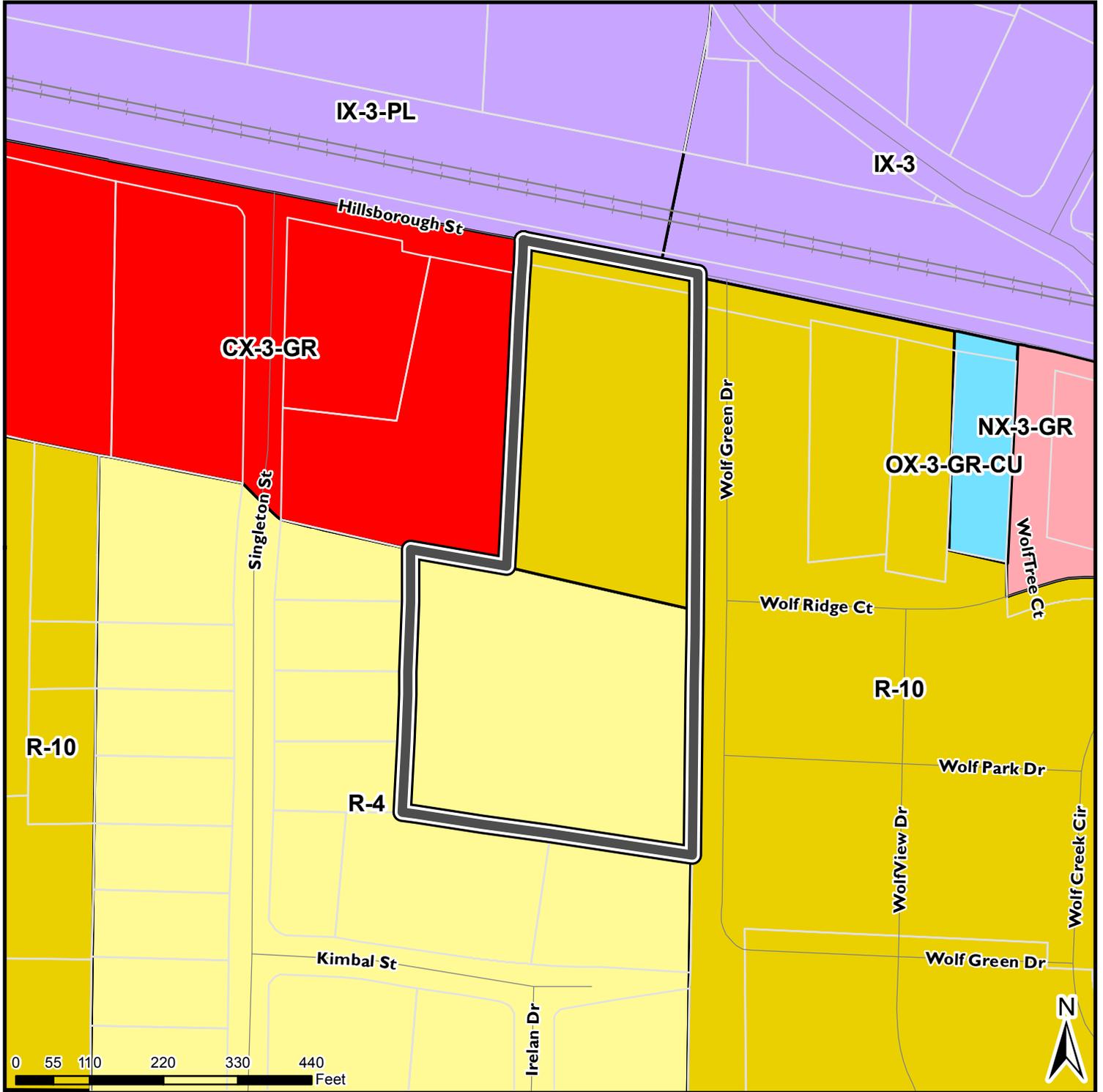


# Existing Zoning Map

# Z-34-2013

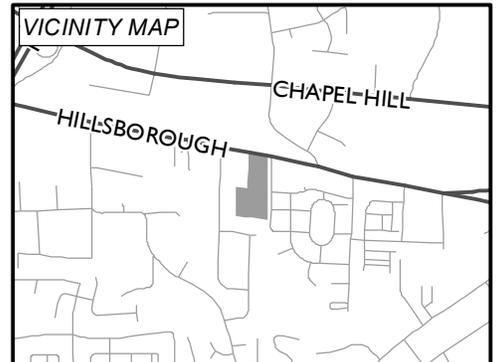


**Submittal Date**

12/26/2013

**Request:**

**6.4 acres from  
R-4 & R-10  
to R-10-CU**





# Certified Recommendation

Raleigh Planning Commission

CR# 11690

## Case Information: Z-34-13 - 6117 Hillsborough Street

<i>Location</i>	Hillsborough Street, south side, west of Wolf Green Drive <b>Address:</b> 6117 Hillsborough Street <b>PIN:</b> 0774813044
<i>Request</i>	Rezone property from Residential-10 (R-10) [northern portion] and Residential-4 (R-4) [southern portion], to Residential-10-Conditional Use (R-10-CU)
<i>Area of Request</i>	6.4 acres
<i>Property Owner</i>	Kamal and Nargis Toma, c/o Sameh Toma: 919-795-8280; <a href="mailto:drsktoma@gmail.com">drsktoma@gmail.com</a>
<i>Applicant</i>	Nicole Toma: 919-817-3314; <a href="mailto:nicoletoma@gmail.com">nicoletoma@gmail.com</a>
<i>Citizens Advisory Council</i>	West -- Co-Chairs: Benson Kirkman: 919-859-1187; <a href="mailto:benson.kirkman@att.net">benson.kirkman@att.net</a> , & Jim Paumier: 919-859-1753; <a href="mailto:jopaumier@earthlink.net">jopaumier@earthlink.net</a>
<i>PC Recommendation Deadline</i>	March 21, 2016

### Comprehensive Plan Consistency

The rezoning case is  **Consistent**  **Inconsistent** with the 2030 Comprehensive Plan.

### Future Land Use Map Consistency

The rezoning case is  **Consistent**  **Inconsistent** with the Future Land Use Map.

### Comprehensive Plan Guidance

<b><i>FUTURE LAND USE</i></b>	Community Mixed Use
<b><i>URBAN FORM</i></b>	Center: Transit Oriented District Corridor: Transit Emphasis (Hillsborough Street) Within Transit Stop Half-Mile Buffer
<b><i>CONSISTENT Policies</i></b>	Policy LU 1.2 – Future Land Use Map and Zoning Consistency Policy LU 4.8 – Station Area Land Uses Policy LU 5.4 – Density Transitions Policy LU 6.4 – Bus Stop Dedication Policy LU 7.3 – Single Family Lots on Thoroughfares
<b><i>INCONSISTENT Policies</i></b>	(None identified.)

### Summary of Proposed Conditions

- |   |
|---|
| <ol style="list-style-type: none"> <li>1. Limitations on peak stormwater runoff specified.</li> <li>2. Transit stop easement to be provided.</li> </ol> |
|---|

## Public Meetings

<i>Neighbor Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Public Hearing</i>	<i>Growth and Natural Resources Committee</i>
12/17/13	1/19/16: <i>Reviewed, but vote assigned to neighbor meeting held 1/27/16; Vote:*</i> Y- 7, N- 1, Abstain- 1	5/26/15 ( <i>deferred</i> ); 8/11/15 ( <i>90-day extension request</i> ); 11/10/15 ( <i>60-day extension request</i> ); 1/12/16 ( <i>60-day extension request</i> ); 2/23/16 ( <i>deferred</i> ); 3/8/16 ( <i>recommend approval</i> )	9/1/15 ( <i>approved 90-day extension</i> ); 11/17/15 ( <i>approved 60-day extension</i> ); 1/19/16 ( <i>approved 60-day extension</i> ); 3/15/16	4/5/16 ( <i>referred to Growth and Natural Resources Committee</i> )	4/13/16

*\*After this meeting, several attendees requested to change their respective votes. Those changes would result in the following vote tally:*

Y- 2, N- 4; Abstain- 3

**Valid Statutory Protest Petition** (filed 4/29/15)

### Attachments

1. Staff report
2. Traffic Study Worksheet

## Planning Commission Recommendation

<i>Recommendation</i>	<b>Approve with conditions.</b> City Council may now schedule this proposal for Public Hearing, or refer it to committee for further study and discussion.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>1. The proposal is consistent with the Future Land Use Map, Urban Form Map, and pertinent policies of the Comprehensive Plan.</li> <li>2. The proposed rezoning is reasonable and in the public interest. Conditions exceed Code in addressing stormwater runoff, and support transit use on the Hillsborough Street corridor.</li> <li>3. The proposal is compatible with the surrounding area. Building Type height caps are comparable to those of adjoining properties. On-site stream course and tree conservation areas will serve to buffer neighboring low-density parcels from site development.</li> </ol>
<i>Motion and Vote</i>	Motion: Whitsett Second: Fluhrer In Favor: Braun, Fluhrer, Hicks, Schuster, Swink, Terando, Tomasulo and Whitsett

This document is a true and accurate statement of the findings and recommendation of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

Planning Director \_\_\_\_\_ Date \_\_\_\_\_ Planning Commission Chairperson \_\_\_\_\_ Date 3/8/16

Staff Coordinator: Doug Hill: (919) 996-2622; [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)



## Zoning Staff Report – Case Z-34-13

### Conditional Use District

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## Case Summary

### Overview

The proposal seeks to rezone the site to permit moderate density housing--currently an option in the northern portion--across the entire parcel. At present, the site is split-zoned. The R-10 zoning of the northern portion matches that of the Wolf Creek Apartments properties immediately east. The R-4 zoning of the southern section corresponds with that of the abutting single-family lots on the southwest and south.

Redevelopment nearby reflects a long-term trend toward multi-family construction (apartments and townhouses), especially to east and southeast of the site. The Future Land Use and Urban Form maps foresee that change intensifying, with mixed-use redevelopment served by a future rail station on the rail corridor just north of Hillsborough Street. The subject site could be within ¼ mile of the projected station location.

The Future Land Use map foresees the transit stop as the focal point of a wide area designated for Community Mixed Use. The Urban Form map envisions a Transit Oriented District south of Hillsborough Street. The subject site is at the eastern edge of both areas. Properties north of Hillsborough Street, and an existing rail line, are mostly zoned for industrial uses, but are likewise envisioned for intensive mixed use redevelopment (i.e., Community Mixed Use per the Future Land Use map; City Growth Center on the Urban Form map).

At present, to the west of the site along the south side of Hillsborough Street, stands a series of retail properties, zoned Commercial Mixed Use-3 stories-Green frontage (CX-3-GR). Properties east of the subject site are of varied zoning—Residential-10 (R-10), Office Mixed Use-3 stories-Green-Conditional Use (OX-3-GR-CU), and Neighborhood Mixed use-3 stories-Green (NX-3-GR)—but are currently built out with low-density housing. Those parcels are envisioned by the Future Land Use map as redeveloping with High Density Residential uses. Moderate Density Residential uses are foreseen south of those frontage lots, corresponding with the existing apartment complex. Single-family lots adjoining the subject site on the southwest and south—part of the Strother subdivision—are earmarked for Medium Density Residential redevelopment. However, new single-family construction continues to be built there, and some lots are yet vacant.

The adjacent section of Hillsborough Street is designated as a Transit Emphasis Corridor on the Urban Form map. Present frontage form varies. The commercial properties immediately west of the site feature buildings are set back from the street, behind parking. Residential properties to the east display deep setbacks behind lawns and occasional wooded areas. Most nearby buildings along Hillsborough Street are single-story. Buildings in the adjoining Wolf Creek apartment complex are three stories tall, with pitched roofs.

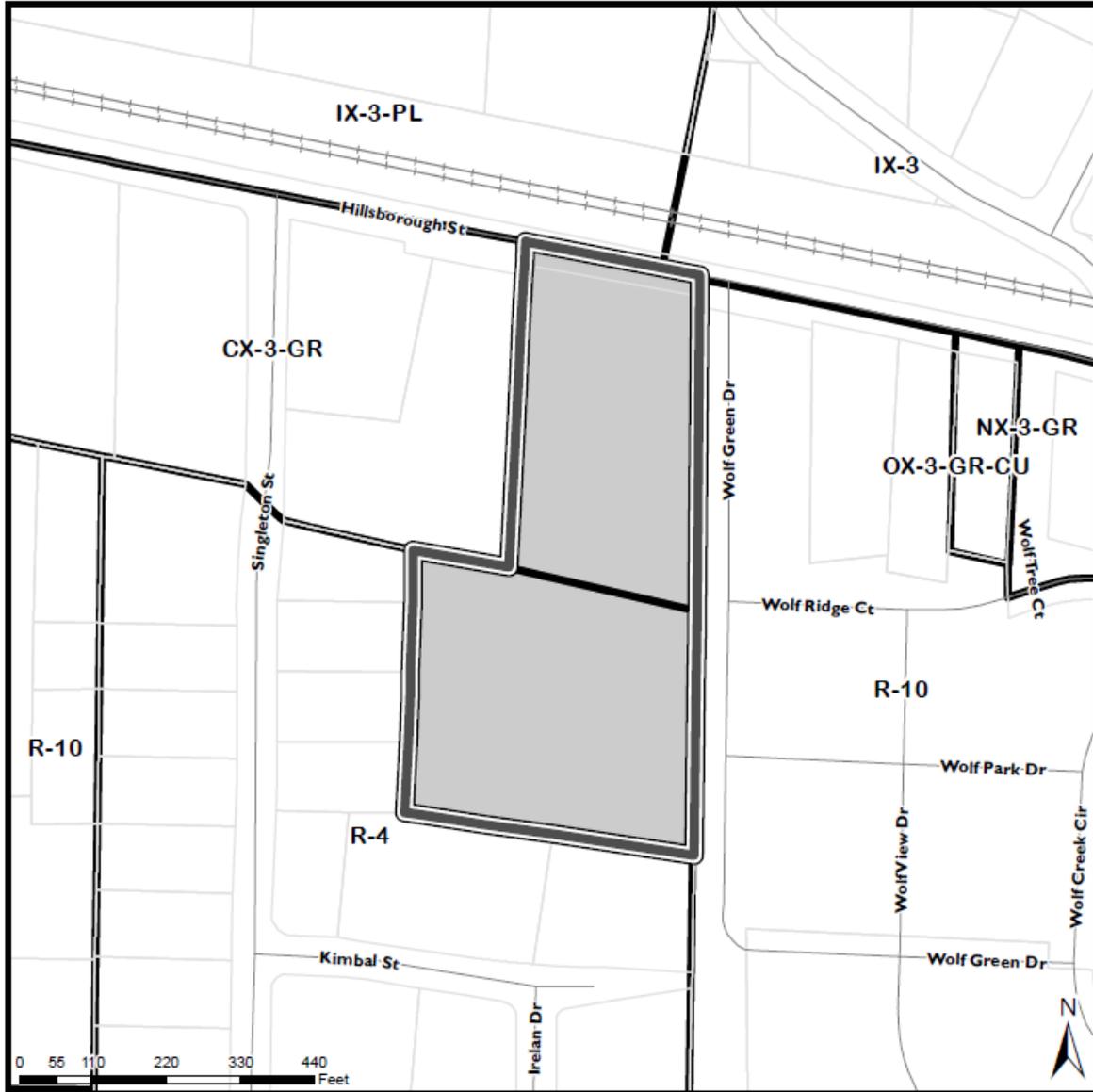
Environmental matters and site access will factor in future development of the subject property. The site is almost entirely wooded, with a stream course crossing its southwest corner. Along Hillsborough Street, the site mostly lies below street level. The high point of the property is on the northeast, near the entrance to the adjoining apartment complex. No cross-access is currently prescribed by adjoining properties.

## Outstanding Issues

<i>Outstanding Issues</i>		<i>Suggested Mitigation</i>	
	<ol style="list-style-type: none"><li>1. Site does not meet the UDO maximum block perimeter standard.</li><li>2. Sewer and fire flow matters may need to be addressed upon development.</li></ol>		<ol style="list-style-type: none"><li>1. Address block perimeter standard at the site design stage.</li><li>2. Address sewer and fire flow capacities at the site plan stage.</li></ol>

# Existing Zoning Map

# Z-34-2013



Submittal  
Date

12/26/2013

## Request:

6.4 acres from  
R-4 & R-10  
to R-10-CU

### VICINITY MAP



# Rezoning Case Evaluation

## 1. Compatibility Analysis

### 1.1 Surrounding Area Land Use/ Zoning Summary

	<b>Subject Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<i>Existing Zoning</i>	R-10/ R-4 (split)	IX-3-PL, IX-3	R-4	R-10	CX-3-GR; R-4
<i>Additional Overlay</i>	(none)	(none)	(none)	(none)	(none)
<i>Future Land Use</i>	Community Mixed Use	Community Mixed Use	Medium Density Residential	High Density Residential	Community Mixed Use; Medium Density Residential
<i>Current Land Use</i>	Single Family Residence	Railroad R/ W	Single Family Residences	Apartment Complex	Industrial (north); Single Family Residences, Vacant (south)
<i>Urban Form</i>	Transit Oriented District; Transit Emphasis Corridor; w/n Transit Stop ½ Mile Buffer	City Growth Center; Transit Emphasis Corridor; w/n Transit Stop ½ Mile Buffer	Within Transit Stop ½ Mile Buffer	Within Transit Stop ½ Mile Buffer	Transit Oriented District & Transit Emphasis Corridor (north only); w/n Transit Stop ½ Mile Buffer

### 1.2 Current vs. Proposed Zoning Summary

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Residential Density:</i>	6.63 DU/ acre (44 DUs max.)	9.94 DU/ acre (66 DUs max.)
<i>Setbacks:</i>	R-10: <i>If Townhouse:</i> 10 feet 0 or 6 feet 20 feet	R-4: <i>If Detached:</i> 20 feet 10 feet 30 feet
		<i>If Townhouse:</i> 10 feet 0 or 6 feet 20 feet
<i>Retail Intensity Permitted:</i>	(not permitted)	(not permitted)
<i>Office Intensity Permitted:</i>	(not permitted)	(not permitted)

### **1.3 Estimated Development Intensities**

	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
<i>Total Acreage</i>	6.4	6.4
<i>Zoning</i>	R-10/ R-4 ( <i>split</i> )	R-10-CU
<i>Max. Gross Building SF</i>	( <i>not specified</i> )	( <i>not specified</i> )
<i>Max. # of Residential Units</i>	44	66
<i>Max. Gross Office SF</i>	( <i>not permitted</i> )	( <i>not permitted</i> )
<i>Max. Gross Retail SF</i>	( <i>not permitted</i> )	( <i>not permitted</i> )
<i>Potential F.A.R.</i>	( <i>n/a</i> )	( <i>n/a</i> )

The proposed rezoning is:

**Compatible** with the property and surrounding area.

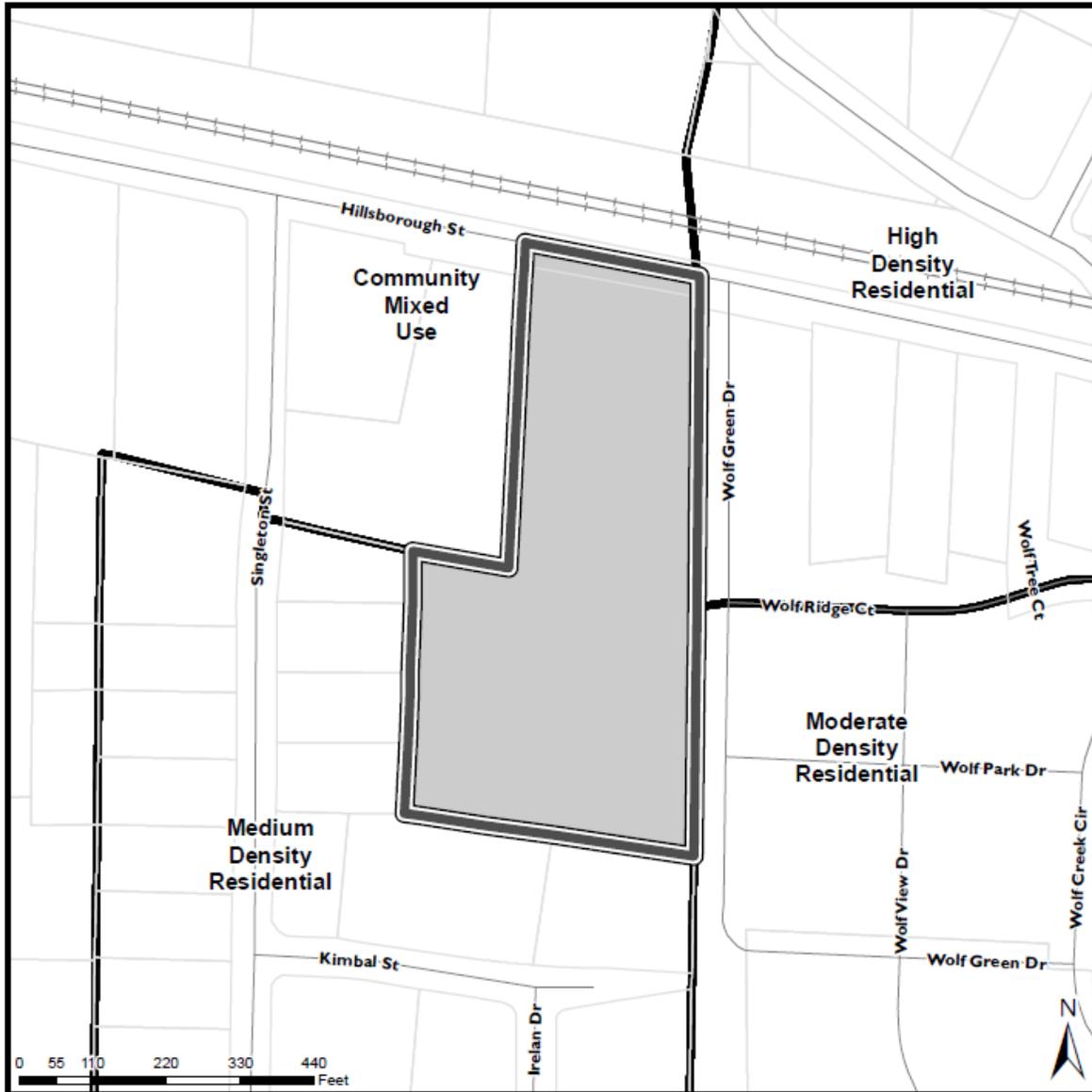
**Incompatible.**

Analysis of Incompatibility:

(N/A)

# Future Land Use Map

# Z-34-2013



Submittal  
Date

12/26/2013

## Request:

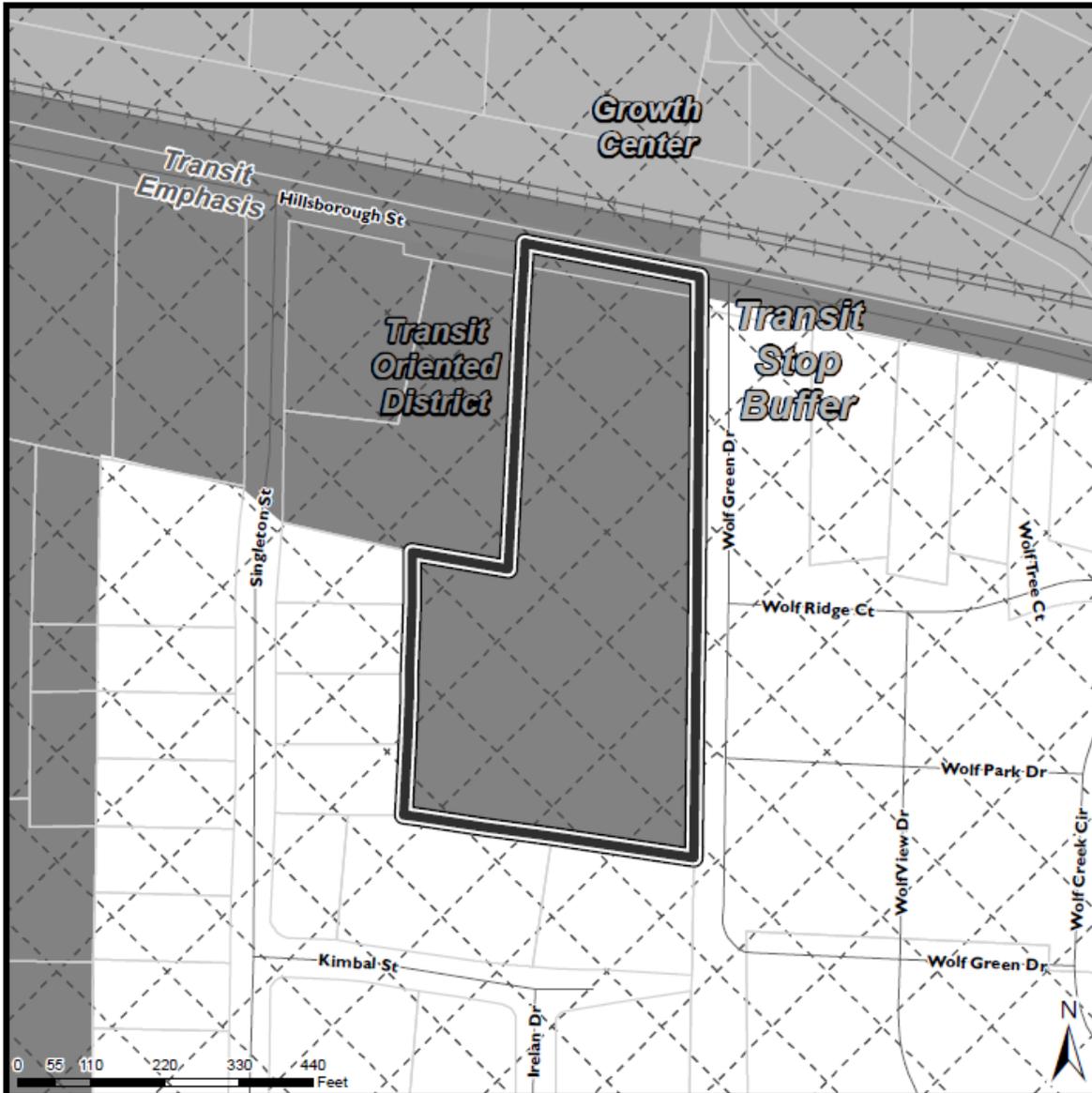
6.4 acres from  
R-4 & R-10  
to R-10-CU

### VICINITY MAP



# Urban Form Map

# Z-34-2013

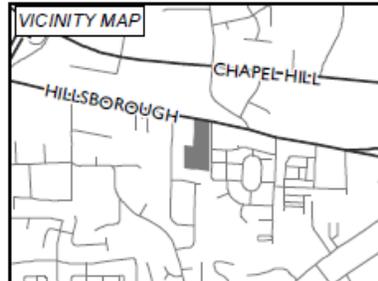


Submittal  
Date

12/26/2013

## Request:

6.4 acres from  
R-4 & R-10  
to R-10-CU



## 2. Comprehensive Plan Consistency Analysis

## **2.1 Comprehensive Plan**

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- Is the proposal consistent with the vision, themes, and policies of the Comprehensive Plan?
- Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- Will community facilities and streets be available at City standards to serve the use proposed for the property?

The proposal can be considered consistent with the vision, themes, and policies of the Comprehensive Plan. The Future Land Use and Urban Form designations for the property anticipate greater density on site. The proposal is in keeping with Comprehensive Plan themes “Expanding Housing Choices” and “Managing Our Growth” (being proximate to a future transit stop).

Uses and built form possible under the proposal complement existing build-out (e.g., the Wolf Creek apartment complex, which borders the site on the east), and are supportive of current and anticipated transit opportunities. Topography and anticipated stormwater facility placement point to added distance between future site construction and the existing single-family residences, located to the west and south.

Existing community facilities and streets appear sufficient to accommodate site redevelopment.

## **2.2 Future Land Use**

**Future Land Use designation:** Community Mixed Use

**The rezoning request is:**

**Consistent** with the Future Land Use Map.

**Inconsistent**

Analysis of Inconsistency:

(N/A)

## **2.3 Policy Guidance**

The rezoning request is **inconsistent** with the following policies:

(None identified.)

## **2.4 Area Plan Policy Guidance**

The rezoning request is not within a portion of the City subject to an Area Plan.

## 3. Public Benefit and Reasonableness Analysis

### 3.1 Public Benefits of the Proposed Rezoning

- Removes split zoning of property, creating opportunity for greater cohesiveness of development.
- Increases density and diversity of housing on a transit corridor, and within a half mile of a future rail transit stop.

### 3.2 Detriments of the Proposed Rezoning

(None identified.)

## 4. Impact Analysis

### **4.1 Transportation**

This site is on the south side of Hillsborough Street, approximately 3/4 mi west of Jones Franklin Road. This segment of Hillsborough Street has a 3-lane cross section but lacks curb, gutter and sidewalk. Approval of case Z-34-2013 would add approximately 135 vehicles per day to the adjacent street system. A traffic impact analysis report is not required for case Z-34-2013.

There are no CIP projects planned for streets in this area. Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. Site access is limited to Hillsborough Street, an NCDOT-maintained street. Driveway access to the subject parcels will be determined at site plan review by the NCDOT District Engineer. The block perimeter bounded by the rights-of-way for Hillsborough, Jones Franklin, Buck Jones, Bashford and Singleton Street is 14,000 feet. In accordance with UDO section 8.3.2, the maximum block perimeter for R-10 zoning is 2,500 feet.

**Impact Identified:** Z-34-13 cannot meet the UDO maximum block perimeter standard.

### **4.2 Transit**

Hillsborough Street is identified as a Transit Emphasis corridor in the City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study. Currently this segment of Hillsborough Street is served by GoTriangle (Triangle Transit) Route 300.

**Impact Identified:** None. Increased development and density will increase demand for transit in this area. The dedication of a transit easement is acceptable to the transit program and will mitigate this impact.

### 4.3 Hydrology

<i>Floodplain</i>	None
<i>Drainage Basin</i>	Walnut
<i>Stormwater Management</i>	Article 9.2 UDO
<i>Overlay District</i>	None

Site is subject to Stormwater Control Regulations under Article 9.2 of City of Raleigh UDO. Neuse River Buffers may exist on the site.

There is a ditch/ stream feature located on the southwest portion of the subject property. It flows from the northwest to the south and leaves the rezoning site flowing into a residential neighborhood, recorded as “Strother Subdivision,” immediately south of the site. Once inside the neighborhood it flows through a 54” pipe within an unimproved portion of the right-of-way of Kimbal Street. That pipe crosses under the existing driveway serving 5800 Kimbal Street.

The stream through Strother Subdivision is subject to the city’s floodplain ordinance. When this subdivision was recorded in 1995 floodplain boundaries were determined, and shown on the recorded Plat. Two different soil types are shown along this stream; *WY* is not considered a flood prone soil per City UDO, but *CM* is considered a flood prone soil. The limits of the *CM* soil begin just north of the south property line of the subject site then follow the stream south through the Strother Subdivision; that portion would be subject to the city’s flood ordinance.

Documented downstream flooding complaints from property owners in Strother Subdivision indicate a complaint of severe erosion, but not structural flooding. Per UDO Section 9.2.2.E.3.a, additional runoff control measures may be required as part of an application for rezoning of sites at or upstream from documented structural flooding cases. Existing conditions and documented yard flooding (especially along a stream with a mapped floodplain) would not necessarily justify additional upstream controls.

**Impact Identified:** None.

### 4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	21,725 gpd	33,600 gpd
<i>Waste Water</i>	21,725 gpd	33,600 gpd

The proposed rezoning would add approximately 11,875 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area.

**Impact Identified:** At the time of development plan submittal, a downstream sewer capacity study may be required to determine the adequacy of capacity to support the proposed development. Any required improvements identified by the study would be required to be permitted and constructed prior to the issuance of a building permit.

Verification of available for water fire flow is required as part of the building permit process. Any water system improvements required to meet fire flow requirements will also be required of the developer.

### 4.5 Parks and Recreation

No greenway corridor, connector or trails are located on or adjacent to this site. The nearest trail is Edwards Mill, 0.6 miles. Park services are provided by Powell Drive Park (1.7 miles away).

**Impact Identified:** None.

### 4.6 Urban Forestry

UDO Article 9.1 (Tree Conservation) is applicable to this site. It appears that there may be Neuse River Riparian Buffers which would require some primary tree conservation areas to be established.

**Impact Identified:** None.

#### **4.7 Designated Historic Resources**

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

**Impact Identified:** None.

#### **4.8 Community Development**

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

#### **4.10 Impacts Summary**

- Site does not meet the UDO maximum block perimeter standard.
- Sewer and fire flow matters may need to be addressed upon development.

#### **4.11 Mitigation of Impacts**

- Address block perimeter standard at the site design stage.
- Address sewer and fire flow capacities at the site plan stage.

## **5. Conclusions**

The proposal would extend the existing R-10 zoning to the entire site, eliminating the current split zoning, and fostering consistent form and density across the parcel. The Comprehensive Plan, including the Future Land Use and Urban Form maps, supports higher density. Case conditions serve to mitigate stormwater impacts and expand transportation options.





# Planning & Development

**Development Services  
Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

<b>Conditional Use District Zoning Conditions</b>		<b>OFFICE USE ONLY</b>
Zoning Case Number Z-34-13		Transaction Number
Date Submitted February 24, 2016		
Existing Zoning R-4 & R-10	Proposed Zoning R-10 - CU	

NARRATIVE OF ZONING CONDITIONS OFFERED	
1.	The peak stormwater runoff leaving the site for the 2-year, 10-year, and 25-year storms shall be no greater at any point of discharge for post-development conditions than pre-development conditions.
2.	Prior to the issuance of a building permit for new development or the recordation of any subdivided lot, which event first occurs, a transit easement shall be deeded to the City and recorded in the Wake County Registry. Prior to recordation of easement, the dimensions (not to exceed 15 feet in depth and 20 feet in width) and location of easement along Hillsborough Street shall be approved by the Public Works Department and the easement document approved by the City Attorney's Office.
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

These zoning conditions have been voluntarily offered by the property owner. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Owner/Agent Signature <i>Nicole Toma</i>	Print Name Nicole Toma
---	---------------------------



# Planning & Development

**Development Services  
Customer Service Center**  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Rezoning Application Addendum

Comprehensive Plan Analysis	OFFICE USE ONLY
<p>The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.</p>	<p>Transaction Number <b>Z-34-13</b> Zoning Case Number</p>

### STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map and any applicable policies contained within the 2030 Comprehensive Plan.

1.	AN UPGRADE TO R-10 FROM R-10/R-4 IS CONSISTENT WITH COMPREHENSIVE PLAN.
2.	THE 6117 HILLS BROOKS ST, PROPERTY IS IN THE COMMUNITY MIXED USE-LOT AREA TO THE WEST OF HILLS BROOKS ST, CORPORATE RIDGE ROAD, SINCE LOT IS UNDEVELOPED.
3.	THE URBAN FORM DESIGNATION SUPPORTS MORE INTENSIVE ZONING ON THIS SITE.
4.	THE ZONE IN THE SOUTHERN PART OF 6117 HILLS BROOKS ST. LEADS TO A HIGHER DENSITY.

### PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

1.	AN EFFORT TO PROVIDE A WELL-DESIGNED EFFORT IN A SMALL RESIDENTIAL LOT.
2.	CREATES ADDITIONAL TAX BASE FOR THE CITY OF RALEIGH
3.	
4.	

## SUMMARY OF ISSUES

A neighborhood meeting was held on 12/17/13 to discuss a potential rezoning located at 6117 Hillsborough Street. The neighborhood meeting was held at 801 Corporate Center Drive, Suite 138, Raleigh NC 27607. There were 2 neighbors in attendance. The general issues discussed were:

### Summary of Issues:

- 1) Traffic on Singleton Street – people cut through to Buck Jones Road. Adding an entrance on Singleton Street would increase traffic on this street.

### Concerns:

- 1) Wildlife –
- 2) Sewer Line on 5806 Kimbal

### Desires:

- 1) Barrier – would like to see trees remain on southern property line;
- 2) Speed Bumps on Singleton Street;
- 3) Sellable Units are looked upon positively.

## **Attendance Roster:**

**Name**

**Greg Ratica - 5806 Kimbal St - S**

**Loretta Ratica – 5806 Kimbal St**

**Nicole Toma – 100 Glasgow Road**

**Alvaro Casella – 9105 Fawn Hill Ct**

**Ray Carpenter – 10912 Cahill Road**

Revision 10.16.13

CC: DeShale S.



# Rezoning Valid Statutory Protest Petition (VSPP)

Submit this form to:

City Clerk  
Municipal Building – Room 207  
222 West Hargett Street  
Raleigh, NC 27602

**received**  
4/29/15 all  
CITY CLERK  
Valid.  
DH 4/29/15



Date: April 20, 2015 Case #: Z- 34 - 2013

Contact Person: Ahmed Baianonie

Address: 1017 Bianco Dr.

City: Raleigh State: NC Zip: 27607

Telephone: 919-859-6329 Fax: \_\_\_\_\_

E-Mail: abaianonie@hotmail.com

### What is a valid statutory protest petition (VSPP)?

If a valid statutory protest petition (VSPP) is filed in opposition to a rezoning request, the City Council cannot approve the request unless it does so by a vote of three-fourths of all Council members. A simple majority can approve all other requests. To file a VSPP, the petition must:

- (1) Be signed by the owner(s) (including both husband and wife if there is joint ownership) of twenty percent (20%) or more of the area of the lots included in the rezoning request; or
- (2) Five percent (5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100-foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the 'owners' of potentially qualifying areas.
- (3) Include a statement of opposition on each page of signatures at the top of the petition. The statement should be simply and clearly worded.
- (4) Be submitted no less than 2 full working days before the hearing date, not including the actual day of the hearing and not including any holidays, Saturdays or Sundays, and,
- (5) Be delivered to the office of the City Clerk, Room 207, Municipal Building, 222 West Hargett Street, before 5:00 pm on the deadline date; and,

**Attach signatures to this sheet on the form provided. The signature form may be duplicated if necessary.**



Valid Statutory Protest Petition

Case Number: Case #: Z- 34 - 2013

Statement of Opposition:

Negative effects from the density change from R-4 & R-10 to R10. \*All of the neighbors depended on well water for their water supply. The re-zoning change, will negatively impact the quality of the well water (drinking). With the R10 build out, the water will not be able to seep through the ground, to reach the wells. \*The additional storm water flow from the build out will cause major erosion and flooding along stream that is located behind all of our lots. Level of noise. Height and the quality of buildings. Endangered species wildlife affected. Property value will be negatively impacted. Currently, Singleton Street cannot handle any additional traffic. Due to the traffic, the road will need to be maintained on a consistent basis. Please see attachment.

Signature: Franklin Rosa Print Name (clearly): Franklin Rosa  
Signature: Felicit Rosa Print Name (clearly): Felicita Rosa  
Address: 105 Singleton St, Raleigh, NC 27606

Signature: M. Baianonie Print Name (clearly): Mohamed Baianonie  
Signature: Ahmed Baianonie Print Name (clearly): Ahmed Baianonie  
Address: 113 Singleton St, Raleigh, NC 27606

Signature: \_\_\_\_\_ Print Name (clearly): Roslyn Gay  
Address: 101 Singleton St, Raleigh, NC 27606

Signature: M. Baianonie Print Name (clearly): Mohamed Baianonie  
Signature: Ahmed Baianonie Print Name (clearly): Ahmed Baianonie  
Address: 117 Singleton St, Raleigh, NC 27606

Signature: Gregory Ratica Print Name (clearly): Gregory Ratica  
Signature: Loretta Ratica Print Name (clearly): Loretta Ratica  
Address: 6806 Kimbal St, Raleigh, NC 27606

Signature: Gregory Ratica Print Name (clearly): Gregory Ratica  
Signature: Loretta Ratica Print Name (clearly): Loretta Ratica  
Address: 5804 Kimbal St, Raleigh, NC 27606

Signature: James Anderson Print Name (clearly): James Anderson  
Signature: Linda Bailey Anderson Print Name (clearly): Linda Bailey Anderson  
Address: 5800 Kimbal St, Raleigh, NC 27606

Signature: \_\_\_\_\_ Print Name (clearly): R J G Enterprises Inc.  
Signature: \_\_\_\_\_  
Address: 6211 Hillsborough St, Raleigh, NC 27606

To: Dough Hill, AICP  
Planner II  
One Exchange Plaza  
Raleigh, NC 27602

From: Concerned Neighbors/property owner's surrounding 6117 Hillsborough Street, Raleigh NC.

Date: April 20, 2015

Re: Potential Re-Zoning of 6117 Hillsborough Street, Raleigh NC 27606

Dear Doug Hill,

Neighbors could not attend the meeting that was held on December 17<sup>th</sup>, 2013, due to the time the meeting was scheduled and when the letter was delivered (short notice). There was also confusion around a letter with no letterhead. We did not realize the letter received was an "official letter".

Below is a list of major concerns regarding the re-zoning of 6117 Hillsborough Street from the neighbors surrounding this property that is being considered for re-zoned from R-4 & R10 to R10:

- Singleton St. cannot handle any additional traffic; the whole neighborhood will be negatively affected by the entry/exit street. Please define the entrance/exit in detail to the property that is being built. *Where exactly will the entrance/exit access road be located? Has an entrance/exit road be identified along Hillsborough St?*
- We are also concerned about the maintenance of the streets in the neighborhood.
- Properties along the stream will not be able to handle the water flow/runoff. We are concerned of the current and future flooding of our property. Currently some of the properties flood when there is heavy rain. *What will happen to the additional water flow/runoff?* There is a stream that runs through many properties (back yards). This stream captures storm water runoff that comes off of Singleton Street, from many neighbor's yards across the street thru a storm drain and from the storm water that runs down the from many yards from the street. Due to the amount of storm water that runs thru this creek, erosion has impacted some properties. Some had to recently add rip-rap along one side of this creek to slow down the erosion and had to move some structures as a result of the erosion. With the re-zoning, we are concerned that the stream will backup and flood on a consistent basis and not only flood many back yards who are located near this stream as well. This stream has flooded many back yards a couple of times over the years! We are very concerned that more flooding will take place due to the new development.
- Wildlife will be negatively affected. The Yellow Bellied Wood Pecker is an endangered species and they are dependent on the Pine Trees.
- We are concerned about water quality will be negatively impacted. Our water is supplied by a well.
- We are concerned about the height of the buildings.
- We are concerned about the quality of the buildings.

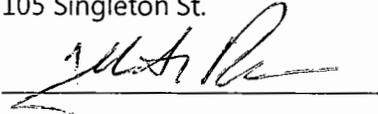
- We are concerned that are property value will be negatively impacted.
- We are concerned about the increase in noise level.
- We are concerned that our quality of life will change the characteristics of the neighborhood.
- *Since the owners own a wooded lot on Singleton St, what is the owner's intention in regards to the use of this lot?*

We would like for all neighbors to be notified of the re-zoning in our neighborhood.

In conclusion, due to many unanswered questions/concerns we are recommending not to proceed with the re-zoning.

Regards,  
Concerned Neighbors

Felicita Rosa  
105 Singleton St.



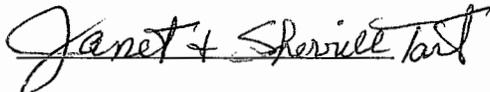
Mohamed Baianonie  
113 Singleton St.



Max & Mary Griffin  
116 Singleton St.



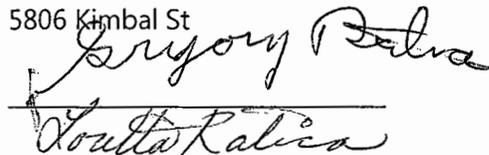
Janet & Sherrill Tart  
108 Singleton St.



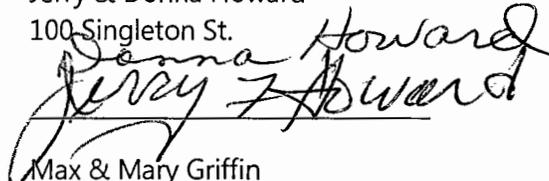
Roslyn Gay  
101 Singleton St.  
Out of Town

\_\_\_\_\_

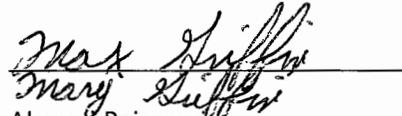
Greg & Loretta Ratica  
5806 Kimbal St



Jerry & Donna Howard  
100 Singleton St.



Max & Mary Griffin  
112 Singleton St.



Ahmed Baianonie  
117 Singleton St.



Linda & James Anderson  
5800 Kimbal St

